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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

GILBERT SILVER

Defendant and Appellant.

B265417

(Los Angeles County  
Super. Ct. No. BA406335)

APPEAL from a judgment of the Superior Court of Los Angeles County, William N. Sterling, Judge. Affirmed.

Russell S. Babcock, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

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On December 31, 2012, Gilbert Silver was hosting a New Year's Eve party at his home in Los Angeles when officers of the Los Angeles Police Department arrived, having heard gunshots in the area and determining they came from Silver's location. One of the officers then witnessed Silver fire a black assault-type rifle into the air.

A jury convicted Silver of grossly negligent discharge of a firearm (Pen. Code, § 246.3), and he was sentenced to three years probation conditioned on his serving 180 days in jail, less custody credit of 44 days, and performing 30 days of service work with Caltrans.

We appointed counsel to represent Silver on appeal and, after examination of the record, appointed counsel filed an opening brief raising no issues and asking this court to review the record independently. (*People v. Wende* (1979) 25 Cal.3d 436, 441-442.) On March 22, 2016, we sent letters to Silver and appointed counsel, directing counsel to immediately forward the appellate record to Silver and advising Silver that within 30 days he could personally submit any contentions or issues that he wished us to consider. Silver did not respond.

We have examined the entire record and find no arguable issue exists. We are therefore satisfied that Silver's attorney complied with his responsibilities, and affirm the judgment. (*People v. Wende, supra*, 25 Cal.3d at p. 441.)

### **DISPOSITION**

The judgment is affirmed.

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CHANNEY, Acting P. J.

We concur:

JOHNSON, J.

LUI, J.